

II. Remarks

Claims 1-10 were pending in this application and have been rejected. By this amendment, Applicants have cancelled claim 4 and amended claims 1, 5 and 7-10 to correct minor typographical errors and to more particularly point out and clarify Applicants' invention. No new matter has been added by the present amendment. After this amendment, claims 1-3 and 5-10 will be pending.

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1-3 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,168,206 B2, issued to Greib et al. ("Greib"). In view of the amendments and remarks contained herein, Applicants respectfully submit that the rejections of claims 1-3 are traversed.

Applicants have rewritten claim 1 to include the limitations of previously presented claim 4 which was not rejected under 35 U.S.C. §102(b) as being anticipated by Greib. Claims 2-3 depend from claim 1. Accordingly, Applicants believe that the rejections based thereon should be withdrawn.

Claims 1-9 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,192,057, issued to Moendel et al. ("Moendel"). Claim 4 has been cancelled by the present amendment and therefore, the rejection of claim 4 is now moot. In view of the remarks contained herein, Applicants respectfully submit that the rejections of claims 1-3 and 5-9 are traversed.

Moendel has a 35 U.S.C. §102(e) filing date of June 28, 2004. Applicants' application for the present invention claims priority to German patent application DE10339562.8, filed August 26, 2003, which antedates Moendel's §102(e) filing date. Moreover, Applicants have submitted for the record together with this reply (1) a certified copy of DE10339562.8, (2) a translation of DE10339562.8 and (3) a certification of the translation, satisfying MPEP §201.15 for establishing a right of priority. Thus, Moendel does not qualify as prior art to this application and accordingly, Applicants believe that the rejections based thereon should be withdrawn.

Claims 1-3 and 10 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. European Patent 0318222, issued to Boeg ("Boeg"). In view of the amendments and remarks contained herein, Applicants respectfully submit that the rejections of claims 1-3 and 10 are traversed.

As mentioned above, claim 1 has been rewritten to include the limitations of previously presented claim 4 which was not rejected under 35 U.S.C. §102(b) as being anticipated by Boeg. Claims 2-3 and 10 depend from claim 1. Accordingly, Applicants believe that the rejections based thereon should be withdrawn.

In view of the above, Applicants believe that claim 1 and its dependent claims 2-3 and 5-10 are in a condition for allowance.

Claim Rejections - 35 U.S.C. § 103

Claims 1-3 and 10 are rejected under 35 U.S.C. §103(a) as being unpatentable over European Patent 0 174 126 A2, issued to Anderson ("Anderson"). In view of the amendments and remarks contained herein,

Applicants respectfully submit that the rejections of claims 1-3 and 10 are traversed.

As discussed above, the amendment to claim 1 includes the limitations of previously presented claim 4 which was not rejected under 35 U.S.C. §103(a) as being anticipated by Anderson. Accordingly, Applicants believe that claim 1 and its dependent claims 2-3 and 10 are in a condition for allowance.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

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